

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,)	CIVIL ACTION NO.
)	
)	
Plaintiff,)	
)	<u>COMPLAINT</u>
v.)	
)	
EZ MONEY, INC d/b/a EZ CHECK CASHING;)	
EZ CHECK CASHING OF CHARLOTTE,)	<u>JURY TRIAL DEMAND</u>
INC. d/b/a EZ CHECK CASHING OF)	
COLUMBIA;)	
GREENVILLE INTERNATIONAL, INC.)	
d/b/a EZ CHECK CASHING; and)	
GULFSHORE MANAGEMENT, INC.)	
)	
Defendants.)	
)	

NATURE OF THE ACTION

This is an action under Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991, to correct unlawful employment practices on the basis of sex and to provide appropriate relief to Constance Times who was adversely affected by the practices. As alleged with greater particularity below, Plaintiff, the U.S. Equal Employment Opportunity Commission (“the Commission”) alleges that Defendants EZ Money, Inc d/b/a EZ Check Cashing; EZ Check Cashing of Charlotte, Inc. d/b/a EZ Check Cashing of Columbia; Greenville International, Inc. d/b/a EZ Check Cashing; and Gulfshore Management, Inc. (“Defendants”) discriminated against Constance Times by discharging her because of her sex, female (pregnancy).

JURISDICTION AND VENUE

1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 451, 1331, 1337, 1343 and 1345. This action is authorized and instituted pursuant to Section 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-5(f)(1) and (3) ("Title VII"), and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a.

2. The employment practices alleged to be unlawful were committed within the jurisdiction of the United States District Court for the District of South Carolina, Charleston Division. This lawsuit is being filed in the Charleston Division because a substantial part of the events or omissions giving rise to the claims alleged in this suit occurred within the Charleston Division.

PARTIES

3. Plaintiff, the Equal Employment Opportunity Commission (the "Commission"), is the agency of the United States of America charged with the administration, interpretation and enforcement of Title VII of the Civil Rights Act of 1964, and is expressly authorized to bring this action by Sections 706(f)(1) and (3) of Title VII, 42 U.S.C. §2000e-5(f)(1) and (3).

4. At all relevant times EZ Money, Inc. d/b/a EZ Check Cashing has been a foreign corporation, incorporated in Virginia and doing business in the state of South Carolina and City of Charleston.

5. At all relevant times, EZ Check Cashing of Charlotte, Inc. d/b/a EZ Check Cashing of Columbia has been a foreign corporation, incorporated in North Carolina and doing business in the State of South Carolina and City of Columbia.

6. At all relevant times, Greenville International, Inc. d/b/a EZ Check Cashing has been a South Carolina corporation doing business in the state of South Carolina and City of Greenville.

7. At all relevant times, Gulfshore Management, Inc. has been a foreign corporation, incorporated in Florida and doing business in the State of South Carolina and City of Greenville.

8. Defendants have operated as an integrated business enterprise since at least March 2000 and maintain a business location in Charleston, South Carolina. At all relevant times, as an integrated business enterprise, Defendants employed over 15 employees for 20 or more calendar weeks in a calendar year.

9. At all relevant times, Defendants jointly and severally, have continuously been employers engaged in an industry affecting commerce under Sections 701(b), (g) and (h) of Title VII, 42 U.S.C. §§ 2000e(b), (g) and (h).

STATEMENT OF CLAIMS

10. More than thirty days prior to the institution of this lawsuit, Constance Times filed a charge of discrimination with the Commission alleging violations of Title VII by Defendants. All conditions precedent to the institution of this lawsuit have been fulfilled.

11. On or about September 2, 2005, Defendants engaged in unlawful employment practices at their Charleston, South Carolina facility in violation of Section 703(a)(1) of Title VII, 42 U.S.C. §2000e-2(a)(1). Specifically, Defendants discharged Constance Times because of her sex, female (pregnancy) from her position as Collections Manager. In February 2005, Ms. Times informed Defendants that she was pregnant and due to have her baby in October 2005. On or

about September 2, 2005, Defendants discharged Ms. Times. At the time of her discharge, Ms. Times was performing her job at a level that met Defendants' legitimate expectations. A male employee replaced Ms. Times as Collections Manager.

12. The effect of the practices complained of in paragraph 11 above has been to deprive Constance Times of equal employment opportunities and otherwise adversely affect her status as an employee because of her pregnancy.

13. The unlawful employment practices complained of in paragraph 11 above were intentional.

14. The unlawful employment practices complained of in paragraph 11 above were done with malice or with reckless indifference to the federally protected rights of Constance Times.

PRAAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendants, their officers, successors, assigns, and all persons in active concert or participation with them, from discharging employees on the basis of their sex or from any other employment practice that discriminates on the basis of sex, including pregnancy.

B. Order Defendants to institute and carry out policies, practices, and programs that provide equal employment opportunities for women, including pregnant employees, and which eradicate the effects of their past and present unlawful employment practices.

C. Order Defendants, jointly and severally, to make whole Constance Times by providing appropriate backpay with prejudgment interest, in amounts to be determined at trial,

and other affirmative relief necessary to eradicate the effects of unlawful employment practices, including but not limited to reinstatement or front pay.

D. Order Defendants, jointly and severally, to make whole Constance Times by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph 11 above, including job search expenses and medical expenses, in amounts to be determined at trial.

E. Order Defendants, jointly and severally, to make whole Constance Times by providing compensation for past and future non-pecuniary losses resulting from the unlawful practices complained of in paragraph 11 above, including but not limited to emotional pain, suffering, inconvenience, loss of enjoyment of life, humiliation, loss of self-esteem and loss of civil rights, in amounts to be determined at trial.

F. Order Defendants, jointly and severally, to pay Constance Times punitive damages for their malicious and reckless conduct, as described above, in amounts to be determined at trial.

G. Grant such further relief as the Court deems necessary and proper in the public interest.

H. Award the Commission its costs of this action.

JURY TRIAL DEMAND

The Commission requests a jury trial on all questions of fact raised by its complaint.

DATED this the 29th day of September, 2006.

Respectfully submitted,

RONALD S. COOPER
General Counsel

JAMES L. LEE
Deputy General Counsel

GWENDOLYN YOUNG REAMS
Associate General Counsel
EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION
1801 L Street, N.W.
Washington, D.C. 20507

LYNETTE A. BARNES
Regional Attorney

TINA BURNSIDE
Supervisory Trial Attorney

s/ Mary M. Ryerse
MARY M. RYERSE
Trial Attorney (Bar No. 9604)
EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION
Charlotte District Office
129 West Trade Street, Suite 400
Charlotte, North Carolina 28202
Telephone: 704.344.6886
Facsimile: 704.344.6780
E-mail: mary.ryerse@eeoc.gov

ATTORNEYS FOR PLAINTIFF